

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

LUIS ARIEL CIENFUEGOS-BERNAL,

Civil No. 05-2179 (RHK/JJG)

Petitioner,

v.

ORDER

UNITED STATES OF AMERICA,

Respondent.

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED:

1. The Report and Recommendation (Doc. No. 3) is **ADOPTED**; and
2. Petitioner's application for habeas corpus relief under 28 U.S.C. ' 2241, (Doc. No. 1), is **DISMISSED** for lack of jurisdiction.

Dated: October 31, 2005

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge